

REMARKS

Reconsideration of the application in light of the amendments and the following remarks is respectfully requested.

Status of the Claims

Claims 1-30 are pending. Claims 1, 2, 8-10, 15-18, 23, 24 and 30 have been amended. No new matter has been added. Support for the amendments can be found in the Specification on page 7, lines 9-11 and in Figure 5.

Rejection Under 35 U.S.C. § 112

Claims 1, 8, 15, 16, 23 and 30 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter of the invention.

Claims 1, 8, 15, 16, 23 and 30 have been amended. Applicants submit that claims 1, 8, 15, 16, 23 and 30 are in conformance with U.S. patent practice. Reconsideration and withdrawal of the rejection is requested.

Rejection Under 35 U.S.C. 102

Claims 1-30 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,895,113 to Baker et al. ("Baker").

Baker discloses incorporating information relating to a user's characterization data and/or color correction group encoded in a WWW URL request (Baker, column 3 line 46

through column 4, line 54). Specifically, Baker discloses encoding a viewing profile, such as ViewingProfile_100_125_130_200, in the URL to specify the color correction information (Baker, column 4 lines 1-2 and 29-30).

Independent claims 1, 2, 9, 16, 17 and 24 have been amended to recite “attribute information including at least one of a manufacture name of a receiving terminal, a model ID of said receiving terminal, and a color space name utilized by said receiving terminal.” In contrast, Baker does not disclose nor suggest including the manufacture name of the receiving terminal, or the model of the receiving terminal as attribute information. Applicants submit that the attribute information shown in Figures 3 and 5 of the present invention is remarkably different from the encoded viewing profile information in the URLs disclosed by Baker. Thus, Applicants submit that Baker does not disclose nor suggest each and every feature recited in the claims. Therefore, Baker does not anticipate the claimed invention

In addition, independent claims 2 and 9 recite “using an output profile corresponding to said attribute information . . . received from said WWW server” and “converting . . . a stored image into a converted image in accordance with a color property . . . specified by said attribute information.” Claim 9 also recites “using an input profile relating to an input device which has created said stored image.”

In contrast, Baker only discloses including the color correction information in the image request, and does not disclose or suggest saving the color correction information in an output profile for future requests (Baker, column 3 lines 53-55). Furthermore, Baker does not disclose using an input profile relating to an input device, as recited in claim 9. Thus, Baker does not disclose nor suggest each and every feature as recited in claims 2 and 9.

Claims 3-8 depend from independent claim 2, and claims 10-15 depend from independent claim 9. Applicant respectfully submits that claims 3-8 and 10-15 are therefore patentable for at least the same reasons as discussed above with respect to their respective base claims.

Independent claim 16 recites “a recording medium in which, in a readable manner, programs are recorded.” The present invention discloses images inputted by a plurality of input devices, such as digital cameras and scanners, are recorded and stored in the image recording unit with a corresponding input profile.

Applicants submit that Baker does not disclose or suggest a recording medium where images from input devices are recorded and stored with a corresponding input profile. Thus, Baker does not disclose nor suggest every feature as recited in claim 16.

Furthermore, Applicants submit that independent claims 17 and 24 recite “an output profile recording unit operable to record” used to record an output profile corresponding to attribute information. The attribute information specifying the receiving terminal is recorded and stored on the receiving terminal, and is automatically acquired by the WWW server for future requests. Claim 24 also recites “an input profile recording unit.” In contrast, Baker does not disclose or suggest an output profile recording unit or an input profile recording unit. Thus, Baker does not disclose nor suggest every feature as recited in claims 17 and 24.

Additionally, claims 17 and 24 recite, in part, subject matter similar to that which is recited in claims 1, 2 and 16. Claims 18-23 depend from claim 17, and claims and 25-30 depend from claim 24. Applicants submit that claims 18-30 are patentable for the reasons presented above and also discussed with respect to claims 1, 2, 16, 17 and 24.

Each and every point raised in the Office Action dated July 19, 2005 has been addressed on the basis of the above amendments and remarks. In view of the foregoing it is believed that claims 1-30 are in condition for allowance and it is respectfully requested that the application be reconsidered and that all pending claims be allowed and the case passed to issue. If there are any other issues remaining which the Examiner believes could be resolved through a Supplemental Response or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned at the telephone number indicated below.

Photo

Dated: October 18, 2005

DARBY & DARBY, P.C.
Post Office Box 5257
New York, N.Y. 10150-5257
Phone: (212) 527-7700